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JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

SOVEREIGN SURGICAL HOLDINGS,
L.P, a Delaware Limited Partnership,

Plaintiff,

v.

DUAL DIAGNOSIS TREATMENT
CENTER, INC., a California
Corporation,

Defendant.

Case No. SACV17-597 CJC (AGRx)

**ORDER DISMISSING CASE
WITHOUT PREJUDICE**

Upon consideration of the Stipulation for Dismissal Without Prejudice submitted by the parties,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

(1) This case is dismissed without prejudice;

(2) Subject to paragraph (4) below, each party shall bear its own costs and attorneys' fees;

(3) Before any party initiates future litigation against the other party related to the claims for relief or defenses alleged in this case, the initiating party shall first provide the other party with at least thirty (30) days written notice of its intent to initiate such litigation;

(4) If either party initiates future litigation against the other party related to

1 the claims for relief or defenses alleged in this case, the parties shall jointly stipulate
2 to and request a scheduling order from the Court that places them in the same
3 procedural and litigation posture existing at the time this case was dismissed without
4 prejudice, including, without limitation, that: (i) all discovery in any such later-filed
5 litigation is closed; (ii) either party may re-file and set for hearing its currently
6 pending motions for sanctions (ECF Nos. 48, 51); and (iii) the parties may seek an
7 award of costs and fees incurred in this case, including fees and costs incurred before
8 this dismissal.

9 (5) All applicable statute(s) of limitation period(s), and any similar deadline
10 for the timely presentation or filing of a claim or defense that was or could have been
11 asserted in this case which, as of the date the case was filed, have not already expired,
12 shall be tolled from the date the case is dismissed without prejudice, up through and
13 including the date any future action is filed by either party against the other.

14 IT IS SO ORDERED.

15
16 Dated: July 26, 2018



Hon. Cormac J. Carney
District Judge

United States District Court for the
Central District of California